

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

SKYLINE DESIGN, INC.,	)	
	)	
Plaintiff,	)	Case No. 12-CV-10198
	)	
vs.	)	Judge Edmond Chang
	)	
McGRORY GLASS, INC.	)	Magistrate Judge Maria Valdez
	)	
Defendant.	)	

**JOINT MOTION REQUESTING ENTRY OF [PROPOSED]  
FINAL JUDGMENT ON CONSENT**

Plaintiff Skyline Design, Inc. (“Skyline”) and Defendant McGrory Glass, Inc. (“McGrory”) (collectively the “Parties”) request that this Court enter the attached Final Judgment on Consent for the stated reasons that follow:

1. The above-captioned action was commenced by Plaintiff, Skyline Design, Inc. (“Plaintiff”) filing a Complaint against Defendant, McGrory Glass, Inc. (“Defendant”) in the United States District Court for the Northern District of Illinois, Eastern Division, on December 20, 2012 (the “Action”) for copyright infringement.

2. The Parties have negotiated and reached agreement for final resolution of the Action, the full terms and conditions of which are set forth in a confidential settlement agreement dated as of November 5, 2014 (“Confidential Settlement Agreement”).

3. The Parties’ Confidential Settlement Agreement is conditioned upon entry by the Court of a Final Judgment on Consent and the continuing jurisdiction of this Court on the terms and conditions set forth herein.

4. The Parties stipulate and agree that this Court has jurisdiction to enter a Final Judgment on Consent on the terms and conditions set forth in **Attachment “A”** and that the Court shall have continuing jurisdiction for purposes of enforcing this Final Judgment on Consent and the Parties’ Confidential Settlement Agreement.

WHEREFORE, the Parties respectfully and jointly request that the Court enter the attached [Proposed] Final Judgment on Consent.<sup>1</sup>

Dated: November 6, 2014

Stipulated and Agreed to by:

**SKYLINE DESIGN, INC.**

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**McGRORY GLASS, INC.**

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<sup>1</sup> In accordance with the local rules, a copy of the Proposed Consent Judgment will be emailed in Word format to [Proposed\\_Order\\_Chang@ilnd.uscourts.gov](mailto:Proposed_Order_Chang@ilnd.uscourts.gov) contemporaneous with this filing. The parties will also hand-deliver courtesy copies to J. Chang’s and J. Valdez’s chambers.

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*Attorneys for Defendant*

ATTACHMENT “A”

[PROPOSED] FINAL JUDGMENT ON CONSENT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

---

SKYLINE DESIGN, INC.,  
Plaintiff,

v.

MCGRORY GLASS, INC.,  
Defendant.

---

)  
)  
) **Case No. 12-cv-10198**  
)  
)

) Honorable Judge Edmond E. Chang  
)

) Magistrate Judge Maria Valdez  
)  
)

**FINAL JUDGMENT ON CONSENT**

WHEREAS, the above-captioned action was commenced by Skyline Design, Inc. (hereinafter "Plaintiff") filing a Complaint against McGrory Glass, Inc. ("Defendant") in the United States District Court for the Northern District of Illinois Eastern Division on December 20, 20 12; and thereafter filing an Amended Complaint on February 25, 2013 (hereinafter referred to as "Plaintiff's Lawsuit"); and

WHEREAS, this Court has jurisdiction over Plaintiff, and over Defendant, and over the subject matter in issue;

WHEREAS the parties have settled Plaintiff's Lawsuit pursuant to a confidential Settlement Agreement;

THEREFORE, upon the agreement, consent, and stipulation of the Plaintiff and Defendant to settle this controversy and to the entry of this Final Judgment on Consent, it is

***AGREED ORDERED AND DECREED***, that the following Final Judgment on Consent is hereby granted and such Judgment is hereby ordered and entered as the Final Judgment in Plaintiff's Lawsuit:

1. The Defendant, its officers, agents, servants, employees and attorneys, and others who are in active concert and participation with any of the foregoing, and in each case who have

received actual notice of this injunction, are hereby enjoined from: Importing, displaying, distributing, selling, offering for sale, marketing, manufacturing, or inducing the manufacture of the etched glass, regardless of type of glass (low iron or not), thickness, or manufacturer, known as "BiRain" by Omni Decor SpA and shown for illustrative purposes in Exhibit A, "Rain" by Omni Decor SpA and shown for illustrative purposes in Exhibit B, "String (2x)" or "Lined Etch (2x)" by Walker Glass Co. Ltd. and shown for illustrative purposes in Exhibit C, and "String (1x)" or "Lined Etch (1x)" by Walker Glass Co. Ltd. and shown for illustrative purposes in Exhibit D, and any such activities not so permitted shall be a violation of this injunction; and

***IT IS FURTHER AGREED, ORDERED, AND DECREED*** that:

2. The Copyright at issue in this case, namely Copyright Reg. No. VA 1-364-683 for an etched architectural glass copyrighted work entitled "Sateen," is valid and enforceable;
3. This Order is entered without any finding or admission of liability or infringement by Defendant; and
4. This Order resolves all claims or defenses raised by either party in Plaintiff's Lawsuit as defined above and this action against Defendant is hereby discontinued and dismissed with prejudice and without costs, each side bearing its own. This Court shall retain jurisdiction for the limited purpose of enforcement of this Final Judgment on Consent and the Settlement Agreement.

**SO ORDERED.**

**ENTERED:**

**DATE:** \_\_\_\_\_

\_\_\_\_\_  
**HON. EDMOND E. CHANG**  
**United States District Judge**

**AGREED BY CONSENT OF THE PARTIES:**

Agreed to and approved by:

**SKYLINE DESIGN, INC.**

Dated: 11/5/14

By: [Signature]

Dated: November 5, 2014

Its Attorneys Susan E. Farley

By: [Signature]

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*Attorneys for Plaintiff*

**McGRORY GLASS, INC.**

Dated: November 5, 2014

By: [Signature]

Dated: 11/5/2014

Its Attorneys Steven D. Maslowski

By: [Signature]

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# **EXHIBIT A**

## **Image of Bi-Rain**

The attached photograph is a representative image of the glass sample identified by Defendant as Bi-Rain and produced by Defendant on July 1, 2014 following a Court conference before Judge Valdez. The original glass sample depicted in the photograph will be retained by Plaintiff's counsel.





McGORRY GLASS  
*12mm Low Iron BiRain*  
[www.mcgorry.com](http://www.mcgorry.com)

# **EXHIBIT B**

## **Image of Rain**

The attached photographs are representative images of glass samples identified by Defendant as Rain and produced by Defendant. The first glass sample was produced on July 1, 2014 following a Court conference before Judge Valdez. The second glass sample was produced with Bates No. McGrory029672. The original glass samples depicted in the photographs will be retained by Plaintiff's counsel.



PLAINTIFF'S  
EXHIBIT  
30



McGRORY GLASS  
6mm Low Iron Rain  
www.mcgrory.com





McGRORY GLASS

*From Uninhabited to Ruin*

[www.mcgrory.com](http://www.mcgrory.com)

McGrory029672

McGrory029672

# EXHIBIT C

## Image of String (2x) or Lined Etch (2x)

The attached photograph is a representative image of the glass sample identified by Defendant as String (2x) or Lined Etch (2x) and produced by Defendant on July 1, 2014 following a Court conference before Judge Valdez. The original glass sample depicted in the photograph will be retained by Plaintiff's counsel.





McGRORY GLASS  
*12mm Low Iron String (2x)*  
[www.mcgrory.com](http://www.mcgrory.com)

# **EXHIBIT D**

## **Image of String (1x) or Lined Etch (1x)**

The attached photographs are representative images of glass samples identified by Defendant as String (1x) or Lined Etch (1x) and produced by Defendant. The first glass sample was produced with Bates No. McGrory000671. The second glass sample was produced with Bates No. McGrory029673. The original glass samples depicted in the photographs will be retained by Plaintiff's counsel.





McGRORY GLASS  
6mm Low Iron String (1x)  
[www.mcgrory.com](http://www.mcgrory.com)

McGrory000671

McGrory000671



McGrory029673

McGrory029673



McGRORY GLASS  
*6mm Walker String*  
[www.mcgrory.com](http://www.mcgrory.com)